

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

IN RE:

CASE NO. 6:05-bk-11596-KSJ

DANIEL L. PELECHATZ and  
ELAINE S. PELECHATZ,

Debtor.

\_\_\_\_\_/

MBNA AMERICA BANK USA, N.A.  
and TARGET NATIONAL BANK  
f/k/a RETAILERS NATIONAL BANK,

Plaintiffs,

v.

ADV. PROC. NO. 6:05-ap-352-KSJ

ELAINE S. PELECHATZ,

Defendant.

\_\_\_\_\_ /

**FINAL JUDGMENT BY CONSENT**

THIS CAUSE came on for consideration, ex parte, for entry of a Final Judgment in the above captioned adversary proceeding. The Court has considered the record and finds that the Debtor entered into a Stipulation with the Plaintiffs, thereby consenting to the entry of a Final Judgment under certain conditions set forth in the Stipulation. This Court is satisfied that the Stipulation is fair, therefore, it is appropriate to approve same and, based on the Stipulation, enter a Final Judgment by consent in favor of the Plaintiffs, and against the Debtor.

Accordingly, it is

ORDERED, ADJUDGED AND DECREED that Final Judgment be, and the same is hereby, entered on the Complaint in favor of the Plaintiff, MBNA AMERICA BANK USA, N.A. ("MBNA"), and against ELAINE S. PELECHATZ, the Defendant in the amount of \$9,403.50, and the debt owed by the Debtor to MBNA in the amount of \$9,403.50 is hereby declared to be nondischargeable pursuant to 11 U.S.C. §523(a)(2). It is further

ORDERED, ADJUDGED AND DECREED that Final Judgment be, and the same is hereby, entered on the Complaint in favor of the Plaintiff, TARGET NATIONAL BANK f/k/a RETAILERS NATIONAL BANK ("TNB"), and against ELAINE S. PELECHATZ, the Defendant in the amount of \$1,843.97, and the debt owed by the Debtor to TNB in the amount of \$1,843.97 is hereby declared to be nondischargeable pursuant to 11 U.S.C. §523(a)(2). It is further

ORDERED, ADJUDGED AND DECREED that pursuant to the Stipulation, the Defendant shall make payment to MBNA, in the amount of \$4,700.00 to be paid in monthly payments of \$100.00 each, with the first payment to be made March 1, 2006. The remaining payments shall be made on the 1<sup>st</sup> day of each month thereafter, until such time as the \$4,700.00 due under the Joint Stipulation to Judgment has been paid in full. It is further

ORDERED, ADJUDGED AND DECREED that pursuant to the Stipulation, the Defendant shall make payment to TNB, in the amount of \$1,843.97 to be paid in monthly payments of \$50.00 each, with the first payment to be made March 1, 2006. The remaining payments shall be made on the 1<sup>st</sup> day of each month thereafter, until

such time as the \$1,843.97 due under the Joint Stipulation to Judgment has been paid in full. It is further

ORDERED, ADJUDGED AND DECREED that the Plaintiffs MBNA AMERICA BANK USA, N.A. and TARGET NATIONAL BANK f/k/a RETAILERS NATIONAL BANK shall not place the Judgment in the Public Records and shall not take any steps to collect the debt declared to be nondischargeable by obtaining a Writ of Execution or a Writ of Replevin or levy on any properties of the Debtor as long as the Debtor complies with the repayment terms set forth in the Stipulation. It is further

ORDERED, ADJUDGED AND DECREED that the Plaintiffs, MBNA AMERICA BANK USA, N.A. and TARGET NATIONAL BANK f/k/a RETAILERS NATIONAL BANK shall give a Satisfaction of Judgment to the Debtor upon the completion of the payment required by the Stipulation. It is further

ORDERED, ADJUDGED AND DECREED that in the event the Debtor defaults on the repayment terms, the Plaintiffs are authorized to proceed to enforce the Judgment pursuant to the provisions of the applicable law.

DONE AND ORDERED in Orlando, Florida, on March 22, 2006.

A handwritten signature in black ink, appearing to read "Karen S. Jennemann", with a large, stylized flourish at the end.

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KAREN S. JENNEMANN  
U.S. BANKRUPTCY JUDGE

Copies Furnished to:

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I CERTIFY THE FOREGOING TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL ON FILE  
UNITED STATES BANKRUPTCY COURT  
CLERK OF THE COURT

*Susan Monaghan*  
DEPUTY CLERK

*March 22, 2006*